

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION**

ERIC PRITCHETT,)
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Plaintiff,)
)
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v.) No. 1:13CV100 SNLJ
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IAN WALLACE, et al.,)
)
)
Defendants.)

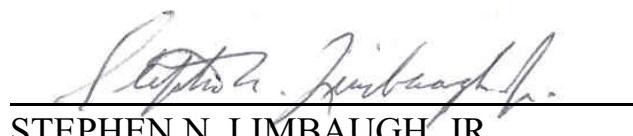
MEMORANDUM AND ORDER

This matter is before the Court on its own motion. The Court has been unable to serve process on defendants Employee ID #109476, Unknown Hayes, Unknown Kircher, Unknown Kline, Unknown Reese, or Kenna Saddler. Under Rule 4(m) of the Federal Rules of Civil Procedure, service must be completed within 120 days of the filing of the complaint. If service is not timely completed, the Court is required to dismiss the unserved parties. The complaint was filed on July 10, 2013, and the 120-day period expired on November 7, 2013. As a result, the Court will order plaintiff to show cause why these defendants should not be dismissed without prejudice. This dismissal would not prevent plaintiff from filing an amended complaint at a later date that includes these defendants, as long as plaintiff provides the Court enough information to serve process on them.

Accordingly,

IT IS HEREBY ORDERED that plaintiff shall show cause no later than twenty-one days from the date of this Order why defendants Employee ID #109476, Unknown Hayes, Unknown Kircher, Unknown Kline, Unknown Reese, and Kenna Saddler should not be dismissed under Rule 4(m) without prejudice.

Dated this 19th day of November, 2013.



STEPHEN N. LIMBAUGH, JR.
UNITED STATES DISTRICT JUDGE